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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 RICKY RENE SANDERS,

12 Plaintiff,

13 v.

14 J. LELAND, et. al,

15 Defendant.  
16

No. 2:25-CV-0798-DJC-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to  
18 42 U.S.C. § 1983.

19 On July 16, 2025, the Court granted Plaintiff an extension of time and directed that  
20 Plaintiff file a first amended complaint within 30 days. See ECF No. 11. Given Plaintiff's non-  
21 compliance as of expiration of this deadline, the Court issued findings and recommendations that  
22 this action be dismissed for lack of prosecution. See ECF No. 12. After the findings and  
23 recommendations were submitted for docketing and service, but before the findings and  
24 recommendations were entered on the docket and served on the parties on September 3, 2025,  
25 Plaintiff filed a first amended complaint on August 29, 2025. See ECF No. 14. Concurrent with  
26 the first amended complaint, Plaintiff filed a motion seeking leave to accept the late-filed  
27 pleading. See ECF No. 13. Good cause appearing therefor, the Court will vacate the September  
28 3, 2025, findings and recommendations and grant Plaintiff's request to accept the late-filed first

1 amended complaint, the sufficiency of which will be addressed separately.

2 Accordingly, IT IS HEREBY ORDERED as follows:

- 3 1. The findings and recommendations issued on September 3, 2025, ECF No.  
4 12, are vacated.
- 5 2. Plaintiff's motion to accept a late-filed pleading, ECF No. 13, is granted.
- 6 3. Plaintiff's first amended complaint filed on August 29, 2025, ECF No. 14  
7 is deemed timely.

8  
9 Dated: October 10, 2025



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE